

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

OCT 07 2014

for the

United States of America

v.

Clerk of Court

Case No. M-14-1953-M

1. Alonso MORALES 1993, MC)
 2. Carlos ARTIAGA-Cruz 1971, MC)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/6/2014 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a)(1)

Conspiracy to Possess with Intent to
 Distribute Marijuana, approx. 268
 kilograms, a Schedule I Controlled
 Substance.

21 USC 846

Possession with Intent to Distribute
 Marijuana, approx. 268 kilograms, a
 Schedule I Controlled Substance.

This criminal complaint is based on these facts:

On October 6, 2014, at approximately 2:00 a.m., Rio Grande City, Texas, United States Border Patrol Agents (USBP PA) Alexandro Solis, Mario Fuentes, and Eduardo Garcia, responded to camera activation in Zone 3 near Rio Grande City, Texas. At approximately 2:30 a.m., USBP PAs Solis and Garcia conducted a visual scan of some open fields north of the camera activation, utilizing thermal night vision equipment. USBP PAs Solis and Garcia observed a total of eight subjects north in the fields. Seven of the subjects appeared to be carrying large bundles on top of their shoulders. USBP PAs Solis and Garcia called USBP PAs D. Bzibziak, J. Cavazos, G. Tellez, and Omar Vidal for assistance. **See Attachment I**

☒ Continued on the attached sheet.


Complainant's signature

Joshua Garza, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/7/2014


Judge's signature

City and state: McAllen, Texas

Dorina Ramos, US Magistrate Judge

Printed name and title

Attachment I

1. USBP PAs began to approach the unknown subjects. As USBP PAs Solis and Garcia made contact with the unknown subjects, the subjects immediately dropped the large bundles and fled on foot south into open fields. USBP PA Garcia maintained constant visual of several of the unknown subjects utilizing thermal night vision and informed the responding USBP PAs on their direction of travel.
2. After several minutes four of the eight subjects that fled the scene were apprehended, which were later identified as Alonso Morales-Ortiz, Juan Ibarra, Carlos Artiaga-Cruz, Javier Melgar-Reyes, and seven (7) large bundles of marijuana weighting approximately 268 kilograms were seized. All subjects along with the bundles of marijuana were taken to the Rio Grande City United States Border Patrol Station for processing.
3. At approximately 6:43 a.m., SAs Joshua Garza and Marisol Farias read Carlos ARTIAGA-Cruz his Miranda Warnings and conducted a recorded interview of ARTIAGA-Cruz at the Rio Grande City, Texas USBP Station. ARTIAGA-Cruz stated that he was going to pay an unknown male \$1,000.00 to be crossed over near Rancheria, Mexico, into the United States. ARTIAGA-Cruz stated that he was only able to pay \$300.00 to be crossed into the United States, so the unknown male told ARTIAGA-Cruz to assist some other unknown men in crossing several bundles of marijuana to the United States. ARTIAGA-Cruz stated that on October 6, 2014, at around 12:00 a.m., he and several unknown men crossed the Rio Grande River in a boat from Mexico to the United States.
4. ARTIAGA-Cruz stated that while on the boat he observed approximately 7-8 bundles of marijuana on the boat. ARTIAGA-Cruz stated that when they arrived to the United States the unknown men began carrying the bundles of marijuana north. ARTIAGA-Cruz stated that they arrived to a fence and he was told by an unknown male to hold the fence wires apart so the men carrying the bundles of marijuana could cross. ARTIAGA-Cruz stated that he helped the men cross the bundles of marijuana thru the fence. ARTIAGA-Cruz stated that after they crossed the fence he and the other unknown men were walking in an open and he saw Border Patrol arrive. ARTIAGA-Cruz stated that he did not run and laid down in the grass and was apprehended by Border Patrol. ARTIAGA-Cruz stated that he was not carrying bundles of marijuana, but did help the unknown men cross the marijuana through a fence.
5. At approximately 7:13 a.m., SAs Joshua Garza and Marisol Farias read Alonso MORALES his Miranda Warnings and conducted a recorded interview of MORALES at the Rio Grande City, Texas USBP Station. MORALES stated that he was at his residence in Camargo, Mexico, when several unknown individuals were hanging out in his neighborhood. MORALES stated that they asked him if he wanted to make transport some marijuana from Camargo, Mexico, across the

Rio Grande River and to the United States, and he would be paid \$200.00. MORALES stated that he agreed he and several other unknown men crossed the Rio Grande River in a small boat and arrived in the United States.

6. MORALES stated that when he and the other unknown men arrived on the Rio Grande River bank in the United States he carried one (1) large bundle of marijuana off the boat and followed the other unknown men north into an unknown field. MORALES stated that the United States Border Patrol then showed up and dropped the bundle of marijuana and attempted to flee but was caught by Border Patrol Agents.
7. MORALES stated that he did agree to help transport the marijuana for money and this was the first time he has done it.
8. SAs Garza and Farias did not conduct an interview of Javier MELGAR-Reyes, dob 10-26-1996, due to him being a juvenile. SAs Garza and Crist read Juan IBARRA his Miranda Warnings and conducted a recorded interview of IBARRA at the Rio Grande City, Texas USBP Station, and through further interview determined he was not involved in the smuggling and transportation of the bundles of marijuana.